

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SEAN D. WHITE,

Petitioner,

v.

CASE NO. 05-CV-74273-DT
HONORABLE AVERN COHN

CINDI CURTIN,

Respondent.

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ORDER

This is a habeas case under 28 U.S.C. § 2254. Sean D. White (“Petitioner”) is a state prisoner convicted of assault with intent to murder, armed robbery, first-degree home invasion, felon in possession of a firearm, and possession of a firearm during the commission of a felony following a jury trial in the Wayne County Circuit Court in 2002. In his pro se petition for writ of habeas corpus, Petitioner raised claims challenging the sufficiency of the evidence to support his convictions. The Court denied the petition for lack of merit. See Opinion and Order Denying Petition for Writ of Habeas Corpus and Denying Motion for an Evidentiary Hearing, filed May 14, 2007. The Court denied a certificate of appealability. See Order filed June 12, 2007. Thereafter, Petitioner applied for, and was granted, in forma pauperis status on appeal. See Order filed July 10, 2007. The case is now pending in the Court of Appeals for the Sixth Circuit. See White v. Curtin, No. 07-1717.

Before the Court are Petitioner's papers styled "Petitioner's Response to the Opinion and Order Denying Petition for Writ of Habeas Corpus and Denying Motion for an Evidentiary Hearing," and "Memorandum Supporting Motion to Quash all Charges and to Suppress the In-Court Identification," both filed on August 22, 2007. Petitioner's "Response to the Opinion and Order" is essentially a motion for reconsideration of the denial of his petition and the "Motion to Quash" is of similar fashion. Because Petitioner's case is before the Sixth Circuit, the Court cannot consider Petitioner's requests. As such, they are DENIED AS MOOT.

SO ORDERED.

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: September 14, 2007

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record and Sean White, 353512, Carson City Correctional Facility, P. O. Box 5000 Carson City, MI 48811-5000 on this date, September 14, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160